



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,223	06/25/2001	Scott D. Cook	37202/122001; 990001	1439
7590	07/31/2007			
Robert P. Lord OSHA - LIANG LLP Suite 2800 1221 McKinney Street Houston, TX 77010			EXAMINER HAMILTON, LALITA M	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 07/31/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/892,223

Applicant(s)

COOK, SCOTT D.

Examiner

Lalita M. Hamilton

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-148 is/are pending in the application.
- 4a) Of the above claim(s) 42-45 and 116-119 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41, 46-115, and 120-148 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>01312005</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of group I, claims 1-41, 46-115, and 120-148 in the reply filed on May 4, 2007 is acknowledged. Claims 42-45 and 116-119 are withdrawn from further consideration.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-41, 46-115, and 120-148 are rejected under 35 U.S.C. 102(e) as being anticipated by Fei (2003/0018549).

Fe discloses a method and corresponding system, medium and website for collecting and aggregating creditworthiness data describing a subject company, from each of a plurality of client machines, each running a software application and operated by a different user, receiving transaction data for at least one subject company, and for each subject company, aggregating the received transaction data from the client machines to determine a creditworthiness rating of the subject company; wherein at least a subset of the different users are unaffiliated with one another (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55); transmitting, from a client machine running a software

application, transaction data for a subject company and receiving at the client machine, from a central server, a representation of a creditworthiness metric based on aggregated transaction data for the subject company (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55); collecting and combining creditworthiness data describing a subject company, from each of a plurality of client machines, each running a financial accounting software application and operated by a different user, receiving aggregated data for at least one subject company and for each subject company, combining the received aggregated data from the client machines to determine a creditworthiness rating of the subject company; wherein at least a subset of the different users are unaffiliated with one another (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55); in a software application for entering financial transactions, a user interface for displaying a creditworthiness metric, a transaction entry screen comprising a field for accepting user input specifying a company, an on-screen indicator representing a creditworthiness metric for the specified company, displayed concurrently with the transaction entry screen and in response to the user input. (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55); from a client machine running a financial software application, receiving transaction data for a subject company, aggregating the received transaction data with transaction data from at least one other client machine to determine a creditworthiness rating of the subject company, wherein each client machine is operated by a different user and at least a subset of the different users are unaffiliated with one another (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55); from a plurality of users, receiving transaction data, aggregating the received transaction data from the different users, generating a creditworthiness rating of the

Art Unit: 3691

subject company, and outputting the generated creditworthiness rating, wherein at least a subset of the users are unaffiliated with one another (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55); the at least one predefined criterion comprises at least one selected from the group consisting of: the creditworthiness metric having changed by at least a predetermined amount; the length of time since the most recent transmitted alert; the user having at least a predetermined number of transactions involving the subject company within a predetermined time period, the subject company being located within a defined geographic region with respect to the user, the user having indicated an interest in the subject company, the type of business of the subject company being related to that of the user, and the type of business of the subject company being related to that of other customers of the user (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55); an associated depending claims (p.2, 20 to p.3, 34 and p.4, 43 to p.5, 55).

*Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the Examiner.*

***Provisional Application Listed on PTO-892 form***

... If a copy of a provisional application listed on the bottom portion of the accompanying Notice of References Cited (PTO-892) form is not included with this Office action and the PTO-892 has been annotated to indicate that the copy was not readily available, it is because the copy could not be readily obtained when the Office action was mailed. Should applicant desire a copy of such a provisional application, applicant should promptly request the copy from the Office of Public Records (OPR) in accordance with 37 CFR 1.14(a)(1)(iv), paying the required fee under 37 CFR 1.19(b)(1). If a copy is ordered from OPR, the shortened statutory period for reply to this Office action will not be reset under MPEP § 710.06 unless applicant can demonstrate a substantial delay by the Office in fulfilling the order for the copy of the provisional application. Where the applicant has been notified on the PTO-892 that a copy of the provisional application is not readily available, the provision of MPEP § 707.05(a) that a copy of the cited reference will be automatically furnished without charge does not apply.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone

Art Unit: 3691

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LALITA M. HAMILTON  
PRIMARY EXAMINER